

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Charles R. Norgle	Sitting Judge if Other than Assigned Judge	Martin C. Ashman
CASE NUMBER	02 C 97	DATE	2/4/2003
CASE TITLE	Safe Bed Technologies Company vs. KCI USA, Inc., et al.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

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DOCKET ENTRY:

- (1) Filed motion of [use listing in "Motion" box above.]
- (2) Brief in support of motion due _____.
- (3) Answer brief to motion due _____. Reply to answer brief due _____.
- (4) Ruling/Hearing on _____ set for _____ at _____.
- (5) Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) Trial[set for/re-set for] on _____ at _____.
- (8) [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
 FRCP4(m) Local Rule 41.1 FRCP41(a)(1) FRCP41(a)(2).
- (10) [Other docket entry] Enter order regarding plaintiff's emergency motion to compel defendants to return documents.

- (11) [For further detail see order attached to the original minute order.]

<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	No notices required, advised in open court. No notices required. Notices mailed by judge's staff. Notified counsel by telephone. Docketing to mail notices. Mail AO 450 form. Copy to judge/magistrate judge.	U.S. DISTRICT COURT CLERK 03 FEB - 4 PM 14:45	3 number of notices FEB 05 2003 date docketed G-J docketing deputy initials 2/4/2003 date mailed notice IS mailing deputy initials	Document Number 5
			c-j	

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED
FEB 05 2003

SAFE BED TECHNOLOGIES COMPANY,)
)
Plaintiff,)
) No. 02 C 0097
v.)
) Judge Charles R. Norgle
KCI USA, INC., LOYOLA UNIVERSITY)
HEALTH SYSTEM, RUSH SYSTEM FOR) Magistrate Judge Ashman
HEALTH, SWEDISH COVENANT)
HOSPITAL and SHERMAN HOSPITAL,)
)
Defendants.)

ORDER

This matter coming to be heard on Plaintiff's Emergency Motion to Compel Defendants to Return Documents, all parties having been represented, and the Court having been fully advised of the premises,

IT IS HEREBY ORDERED:

1. Defendants' counsel represented to the Court on January 28, 2003 that no use or review would be made of documents bearing the bates number prefix RWMKE, and except as set forth below, Defendants are ordered to maintain such documents and make no use, copies and/or review of these documents;

2. Defendants have already delivered to On-Site Sourcing all CDs containing the documents with the bates prefix RWMKE, with instructions to OnSite Sourcing to destroy such CDs;

3. Within two business days of entry of this Order, Plaintiff will provide Defendants with a listing of bates numbers that correspond to (i) Plaintiff's documents it asserts are protected

51

by the attorney client privilege and/or work product doctrine; and (ii) documents subject to the Stipulated Protective Order in *Safe Bed v. Hill-Rom et al.* contained within the RWMKE document production that are to be withdrawn from the production (the "Designated Documents");

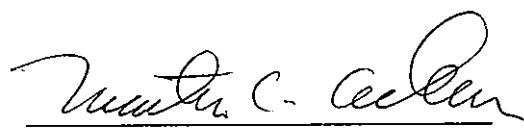
4. Within two business days after Defendants receive the Designated Documents list, the Defendants shall return the Designated Documents to Plaintiff's counsel, including any and all copies thereof;

5. Defendants are to make no use, and/or copies of documents bearing production number prefix RWMKE until the Designated Documents are removed and returned to Plaintiff. Defendants reserve the right in the future to contest any and all of the documents designated by Plaintiff pursuant to this Order.

6. Within seven calendar days following entry of this Order, Plaintiff's will provide a log identifying the Designated Documents.

Dated: February 4, 2003

ENTERED:



Martin C. Ashman
Magistrate Judge Martin C. Ashman